

**PROPOSED AGENDA FOR  
EXAMINER INTERVIEW OF NOVEMBER 4, 2004**

(NOT OF RECORD)

126. (Newly Added) A device for preparing a space in

a human spine to receive an insert between adjacent vertebral bodies, said device comprising:

an elongated shaft portion;

a housing disposed at the distal end of said elongated shaft portion;

a drive means;

a drive source operably connected to said drive means; and

a form cutter mountable on said housing and movable by said drive means, wherein:

said form cutter has at least one milling surface selected to create a surface contour in one of the adjacent vertebral bodies as said form cutter is moved by said drive means, said milling surface positioned to mill in a direction perpendicular to said elongated shaft portion.

127. (Newly Added) A device for preparing a space in a human spine to receive an insert between adjacent vertebral bodies, said device comprising:

an elongated shaft portion;

a housing disposed at the distal end of said elongated shaft portion;

a drive means;

a drive source operably connected to said drive means; and

a form cutter mountable on said housing and movable by said drive means, wherein:

said form cutter has at least one milling surface selected to create a surface contour in one of the adjacent vertebral bodies as said form cutter is moved by said drive means, said surface contour being generally parallel to said elongated shaft portion.

128. (Newly Added) A device for preparing a space in a human spine to receive an insert between adjacent vertebral bodies, said device comprising:

an elongated shaft portion;

a housing disposed at the distal end of said elongated shaft portion;

a drive means;

a drive source operably connected to said drive means; and

a form cutter mountable on said housing and movable by said drive means, wherein:

said form cutter has at least one milling surface selected to create a surface contour in one of the adjacent vertebral bodies as said form cutter is moved by said drive means, said at least one milling surface being entirely within an area formed by the adjacent vertebral bodies during milling.

129. (Newly Added) A device for preparing a space in a human spine to receive an insert endoprosthesis device between adjacent vertebral bodies, said device comprising:

an elongated shaft portion;

a housing disposed at the distal end of said elongated shaft portion;

a drive means;

a drive source operably connected to said drive means; and

a form cutter mountable on said housing and movable by said drive means, wherein:

said form cutter has at least one milling surface a profile selected to create impart a shape in the bone of the vertebral bodies a surface contour that mates with the endoprosthesis device in one of the adjacent vertebral bodies as said form cutter is moved by said drive means.

130. (Newly Added) A device for preparing a space in a human spine to receive an insert endoprosthesis device between adjacent vertebral bodies, said device comprising:

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an elongated shaft portion;  
a housing disposed at the distal end of said elongated shaft portion;  
a drive means;  
a drive source operably connected to said drive means; and  
a form cutter mountable on said housing and movable by said drive means; and wherein:  
~~said form cutter has at least one milling surface selected to create a surface contour in one of the  
adjacent vertebral bodies as said form cutter is moved by said drive means.~~

means for preparing a space in a human spine to receive the endoprosthesis device  
between adjacent vertebral bodies, said space comprising a surface contour in at least one of the  
adjacent vertebral bodies.

131. (Newly Added) A device for preparing a space in a human spine to receive an  
insert between adjacent vertebral bodies, said device comprising:

an elongated shaft portion;  
a housing disposed at the distal end of said elongated shaft portion;  
a drive means;  
a drive source operably connected to said drive means; and  
a form cutter mountable on said housing and movable by said drive means, wherein:  
said form cutter has at least one vertebral body surface contour milling surface selected to create  
a surface contour in one of the adjacent vertebral bodies as said form cutter is moved by said  
drive means.